

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

AUDIT AND GOVERNANCE COMMITTEE – 27 MARCH 2013

Title of report	STANDARDS AND ETHICS – QUARTER 3 REPORT
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Purpose of report	To receive the figures for local determination of complaints and the ethical indicators for Quarter 3 of 2012/13.
Council Priorities	Value for Money
Implications:	
Financial/Staff	N/A
Link to relevant CAT	N/A
Risk Management	By receiving this information members will be able to manage risks.
Equalities Impact Assessment	N/A
Human Rights	N/A
Transformational Government	N/A
Consultees	N/A
Background papers	None.
Recommendations	THAT THE REPORT BE RECEIVED AND NOTED.



STANDARDS AND ETHICS

QUARTER 3 REPORT 2012-2013

1. Introduction

This is the third quarterly report to the Audit & Governance Committee detailing both the figures for the Ethical Indicators and the figures for the Local Determination of Complaints process for 2012/13.

For clarification purposes the months covered by the quarters are as follows:

Quarter 1 – 1 April to 30 June
Quarter 2 – 1 July to 30 September
Quarter 3 – 1 October to 31 December
Quarter 4 – 1 January to 31 March

The report is split into 2 parts for ease of reference; Part 1 refers to the local determination of complaints, part 2 is the table showing the ethical indicators figures.

The report will enable the Audit & Governance Committee to build up a picture over time of how many complaints are received and where these are coming from. The parts of the Code of Conduct which have been breached will also be recorded to enable training to be targeted effectively.

2. Part 1 – Local Determination of Complaints

The Monitoring Officer received 1 complaint in Quarter 3 of 2012/13.

2.1 Source of Complaints

The complaint received was from a District Councillor about a District Councillor.

2.2 Assessment Sub-Committee Decisions

There have been no Assessment Sub-committee meetings in this quarter. As members will be aware, the Monitoring Officer now pursues an informal dispute resolution process prior to initiating formal proceedings via the sub-committee route.

2.3 Timeliness of Decision

The Standards for England Guidance stated that the Assessment Sub-committee should complete its initial assessment of an allegation “within an average of 20 working days” to reach a decision on what should happen with the complaint. The Council has taken this standard and adapted it under the new rules to aim to hold an Assessment Sub-committee within 20 working days of notifying the parties that informal resolution is not possible.

As mentioned above, no decisions have been taken during this quarter.

2.4 Review Requests

There have been no review requests this year. Review requests can only be made following a decision of ‘No further Action’ by the Assessment Sub-committee where there is submission of new evidence or information by the complainant.

2.5 Subsequent Referrals

None to report – see above.

2.6 Outcome of Investigations

Three investigations were concluded in this period. Two of the complaints were found to be substantiated and two resulted in there being no breach of the code (one complaint was determined in two parts). One of the breaches resulted in a sanction being applied to the Councillor, the other was considered not to require a sanction.

2.7 Parts of the Code Breached

This section is intended to show where there are patterns forming to enable the Audit & Governance Committee to determine where there needs to be further training for Councillors. Targeting training in this way makes it more sustainable and, hopefully, more effective.

So far this year, the following areas of the code were found to have been breached:

- Paragraph 3(1) (2012 Code) – Failure to treat others with respect.
- Paragraph 5 (2012 Code) – Conducting oneself in a manner which brings the office and the authority into disrepute.
- Paragraph 6(1) (2012 Code) – Using the position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.
- Paragraph 9 (2012 Code) – Failure to declare a personal interest at a Council meeting.

There is only one breach found against each of the above areas of the code and so there is currently no pattern developing this year.

4. Part 2 – Ethical Indicators

Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2011/12	2012/13	Actual 2011/12	2012/13	Actual 2011/12	2012/13	Actual 2011/12	2012/13
SE1	Objections to the Councils Accounts	Financial Planning Team Manager	0	0	0	0	0	0	0	
SE2	Referrals to and Investigations undertaken by Standards for England	Head of Legal and Support Services	0	0	0	0	0	0	0	
SE3	Follow up action relating to breaches of the Member/Officer Protocol (Members)	Head of Legal and Support Services	0	0	0	0	0	0	0	
SE3a	Disciplinary action relating to breaches of the Member/Officer Protocol (staff)	Human Resources Team Manager	0	0	0	0	0	0	0	
SE4	District Audit Public Interest Reports	Senior Auditor	0	0	0	0	0	0	0	
SE5	Number of Whistleblowing Incidents reported	Senior Auditor	0	0	0	0	0	0	0	
SE6	No. of recommendations made to improve governance procedures / policies	Senior Auditor	0	0	7	4	3	2	6	

Ref.	Performance Indicator Description	Officer Responsible for Providing Information	Q1		Q2		Q3		Q4	
			Actual 2011/12	2012/13	Actual 2011/12	2012/13	Actual 2011/12	2012/13	Actual 2011/12	2012/13
SE6a	No. of recommendations implemented	Senior Auditor	2	7	2	6	3	1	3	
SE7	No. of Ombudsman complaints received	Customer Services and Corporate Complaints Officer	3	1	2	2	0	2	2	
SE7a	No. of Ombudsman complaints resolved	Customer Services and Corporate Complaints Officer	3	1	2	2	0	2	2	
SE7b	No. of Ombudsman complaints where compensation paid	Customer Services and Corporate Complaints Officer	1	0	1	1	0	1	0	
SE8	No. of Corporate Complaints received	Customer Services and Corporate Complaints Officer	58	77	63	84	81	89	65	
SE8a	No. of Corporate Complaints resolved	Customer Services and Corporate Complaints Officer	58	75	63	84	81	89	65	
SE8b	No. of Corporate Complaints where compensation paid	Customer Services and Corporate Complaints Officer	1	1	5	2	9	6	3	

